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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 12-0088 LHK
	)	
Plaintiff,	)	
	)	
v.	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER EXCLUDING TIME FROM
FIDEL REYES DE LA CRUZ, GONZALO	)	APRIL 4, 2012, THROUGH APRIL 25,
REYES DE LA CRUZ, ENRIQUE REYES	)	2012, UNDER THE SPEEDY TRIAL ACT
DE LA CRUZ, and FRANCISCO REYES	)	
DE LA CRUZ,	)	
	)	
Defendants.	)	

The parties came before the Court for a status hearing concerning this matter on February 29, 2012. At that hearing, the Court set a further status conference for April 4, 2012, and excluded time from Speedy Trial Act calculations from February 29, 2012, through April 4, 2012, for effective preparation of counsel. The Court found, with the parties' agreement, that pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), the ends of justice served by this exclusion of time outweighed the defendants' and the public's interest in a speedy trial.

The next status conference in this case is set for April 25, 2012. Since the parties' last appearance, the United States has provided the defendants with additional discovery, including some discovery that was served on April 4, 2012. The parties hereby stipulate, and ask the Court

1 to order, that the time from April 4, 2012, through April 25, 2012, should be excluded from  
2 Speedy Trial Act calculations for effective preparation of counsel, because the ends of justice  
3 served by such an exclusion outweigh the defendants' and the public's interest in a speedy trial.

4 SO STIPULATED.

5 MELINDA HAAG  
6 United States Attorney

7 /s/

8 Dated: April 4, 2012

9 OWEN P. MARTIKAN  
10 Assistant United States Attorney

11 STEVEN KALAR  
12 Federal Public Defender

13 /s/

14 Dated: April 4, 2012

15 VARELL L. FULLER  
16 Assistant Federal Public Defender  
17 Attorney for Fidel Reyes de la Cruz

18 /s/

19 Dated: April 5, 2012

20 MICHELLE D. SPENCER  
21 Attorney for Enrique Reyes de la Cruz

22 /s/

23 Dated: April 5, 2012

24 GRAHAM E. ARCHER  
25 Attorney for Gonzalo Reyes de la Cruz

26 /s/

27 Dated: April 5, 2012


28 JAMES MCNAIR THOMPSON  
Attorney for Francisco Reyes de la Cruz

1 [PROPOSED] ORDER

2 Per the parties' stipulation, and for effective preparation of defense counsel, the Court  
3 orders that the time period from April 4, 2012, through April 25, 2012, shall be excluded from  
4 calculations under the Speedy Trial Act. The Court further finds that the ends of justice served  
5 by granting such an exclusion outweigh the defendants' best interest and the public's interest in a  
6 speedy trial.

7 SO ORDERED.

8 Dated: 4/6/12

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10 HON. LUCY H. KOH  
11 United States District Judge  
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